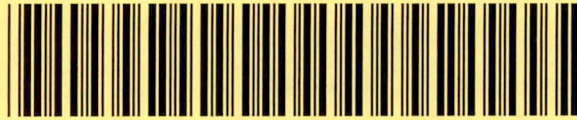


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DocumentID NONCD0002852

Site Name CLAYTON FARMS

DocumentType Correspondence (C)

RptSegment 1

DocDate 11/28/2012

DocRcvd 11/28/2012

Box SF1099

AccessLevel PUBLIC

Division WASTE MANAGEMENT

Section SUPERFUND

Program IHS (IHS)

DocCat FACILITY



North Carolina Department of Environment and Natural Resources
Division of Waste Management

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

November 28, 2012

Mr. James K. Henderson, Project Director
Dupont Corporate Remediation Group
6324 Fairview Road
Charlotte, NC 28210

Re: Inactive Hazardous Waste Sites Priority List
Clayton Farms
Clayton, Johnston County

Dear Mr. Henderson:

The site listed above has been included on the October 2012 Inactive Hazardous Waste Sites Priority List (Priority List) in accordance with North Carolina General Statutes Section 130A-310.2. The Priority List is a list of sites where uncontrolled disposal, spills, or releases of hazardous substances have been identified. A special priority system (North Carolina Administrative Code Title 15A Subchapter 13C Section 0.200) is used to rank the sites in decreasing order of danger to public health and the environment.

This letter is being sent to you to fulfill our statutory duty to notify those who own and those who at present are known to be responsible for each site on the Priority List. A copy of the Priority List with each site's rank appearing in the right-hand column is available at <http://portal.ncdenr.org/web/wm/sf/sfavailabledocs> under the Site Inventory heading. This list is in alphabetical order by site name to make it easier for you to locate your score.

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Under the Inactive Hazardous Sites Response Act, persons who move forward to assess and clean up contamination, without being compelled to do so through formal legal action filed against them, are called "volunteers." To participate in the Inactive Hazardous Sites Branch's voluntary cleanup program, you will be required to enter into an administrative agreement with the Branch. If a responsible party or owner wishes to voluntarily perform a site cleanup, they should first complete a Site Cleanup Questionnaire available at <http://portal.ncdenr.org/web/wm/sf/sfavailabledocs> under the Forms heading. The voluntary cleanup will proceed through the Registered Environmental Consultant Program or under direct oversight by the Branch Staff, as discussed below.

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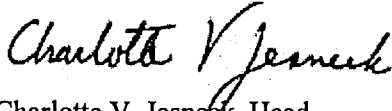
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Failure of a responsible party to take the initial abatement steps required in 15A NCAC 2L may result in the assessment of a civil penalty against that responsible party. In addition, the Branch may seek an injunction compelling compliance with the initial abatement steps required in 15A NCAC 2L. For future work beyond the initial abatement steps required pursuant to 15A NCAC 2L, a unilateral Order may be issued pursuant to N.C.G.S. 130A-310.3 to compel assessment and cleanup.

If you have any questions, you may contact Bruce Parris, Western Regional Supervisor at (704) 235-2185, John Walch, Eastern Regional Supervisor at (919) 707-8356 or me at (919) 707-8327. You can view a Branch regional map at <http://portal.ncdenr.org/web/wm/sf/ihs/ihsregmap> to determine if your site lies in the western or eastern region. Those who are interested in reviewing the Superfund Section's files on any of these sites may contact Scott Ross at (919) 707-8272, to schedule an appointment. You may also contact Mr. Ross if you do not have access to the internet and would like to request a copy of the Priority List be mailed to you.

Sincerely,



Charlotte V. Jesneck, Head
Inactive Hazardous Site Branch
Superfund Section



North Carolina Department of Environment and Natural Resources
Division of Waste Management

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

December 13, 2011

Mr. James K. Henderson, Project Director
Dupont Corporate Remediation Group
6324 Fairview Road
Charlotte, NC 28210

Re: Inactive Hazardous Waste Sites Priority List
Clayton Farms
Clayton, Johnston County

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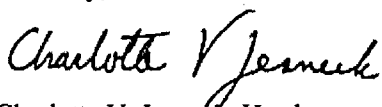
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Sincerely,



Charlotte V. Jesneck, Head
Inactive Hazardous Site Branch
Superfund Section

CVJ/slbb(SPLMERGELTR_2011.DOCX)

Snavely, Keith

From: Snavely, Keith
Sent: Monday, August 29, 2011 11:16 AM
To: 'sbiggs@townofclaytonnc.org'
Cc: Robbins, Susanne
Subject: Clayton Farms/Dupont site, 1833 Loop Road, Clayton NC - NONCD0002852
Attachments: Clayton Farms- Newest site score.pdf

Mr. Biggs:

The subject's site score in our October 2010 Report to the North Carolina General Assembly on the Inactive Hazardous Site Program was 49.63 and the site ranked at number 43 out of 538 ranked sites. Our highest ranked site in 2010 (or our #1 site) had a score of 62.56. Refer to our 2010 report to the NC General Assembly in the link below to see the Clayton Farm site listed. It is on page 35 of the link:

http://portal.ncdenr.org/c/document_library/get_file?uuid=4d94f7ed-d742-44ed-a3b3-545b79f76ae9&groupId=38361

We do not have the current rank of Clayton Farms site for 2011 because the report to the NC General Assembly is not prepared until October 2011 and it is possible that some sites may rank differently at that time. However, as requested we did re-rank the site and the new site score is 47.38. I also reviewed the "Sites Priority List" for 2010 which is on our web site. We determined that one of the columns on this "List" was incorrectly sorted and displayed an incorrect ranking. That table is now being corrected. The October 2010 report to the NC General Assembly has the correct ranking of #43 for October 2010.

Attached is the Clayton Farms Inactive Sites Ranking System Summary Sheet that shows the new score of 47.38. If you have any questions, I can be reached at 919-508-8479.

Keith Snavely

Keith Snavely, Hydrogeologist
Inactive Hazardous Sites Branch
NC Division of Waste Management
401 Oberlin Road -Suite 150
Raleigh, NC 27612

Office #: (919) 508- 8479
Fax#: (919) 733-4811
email: Keith.Snavely@ncdenr.gov

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Snavely, Keith

From: Jesneck, Charlotte
Sent: Friday, August 26, 2011 1:01 PM
To: Boyles, Sean; Snavely, Keith; Brown, Dave; Henderson, Ginny; Robbins, Susanne
Subject: Ranking

Linda said John had one of your re-rank the DuPont site in Clayton. She wants the person familiar with the ranking to call someone at Dupont. Which of you did the re-ranking?

Snavely, Keith

From: Culpepper, Linda
Sent: Friday, August 26, 2011 2:35 PM
To: Snavely, Keith
Subject: FW: DuPont/Clayton Site

From: Culpepper, Linda
Sent: Friday, August 26, 2011 8:35 AM
To: Jesneck, Charlotte
Subject: FW: DuPont/Clayton Site

Charlotte – John Walch had emailed me info. about the site and that the ranking was being re-done. Is there anyone DuPont can talk to about the re-ranking, or is John the best point of contact ?

Thanks.
linda

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

From: Steve Biggs [sbiggs@townofclaytonnc.org]
Sent: Wednesday, August 24, 2011 1:28 PM
To: Culpepper, Linda
Cc: Butch Lawter
Subject: DuPont/Clayton Site

Linda,

I had a very productive meeting with Bruce Nicholson this past week. As I am sure you are already aware he is very knowledgeable and responsive and he provided some insight into how the Brownfields program operates that has aided us in our discussions with DuPont. At this point I think it is very likely that we will pursue this opportunity through the Brownfields program.

During the course of our prior meeting you mentioned that the site had been assigned a priority number that was not correct to the true nature of the site. I think it was a number in the forties and that it should have been ranked much lower. DuPont has indicated a high degree of concern relative to the priority number assigned. Do you have a point of contact for them to discuss having a corrected priority number assigned to the site or could you otherwise facilitate having them notified of a corrected number?

We plan to separately contact Bruce to set a conference call of all three parties. He previously expressed a willingness to participate in such a call and I think it may be last assurance DuPont will need in order to move forward. Again, I thank you for your assistance in this matter.

Regards,

Steve

Town Manager
Town of Clayton
919.359.9331

visit: www.townofclaytonnc.org



North Carolina Department of Environment and Natural Resources
Division of Waste Management

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

July 27, 2011

Mr. James K. Henderson, Project Director
Dupont Corporate Remediation Group
6324 Fairview Road
Charlotte, NC 28210

Re: Inactive Hazardous Waste Sites Priority List
Clayton Farms
Clayton, Johnston County

Dear Mr. Henderson:

The site listed above has been included on the October 2010 Inactive Hazardous Waste Sites Priority List (Priority List) in accordance with North Carolina General Statutes Section 130A-310.2. The Priority List is a list of sites where uncontrolled disposal, spills, or releases of hazardous substances have been identified. A special priority system (North Carolina Administrative Code Title 15A Subchapter 13C Section 0.200) is used to rank the sites in decreasing order of danger to public health and the environment.

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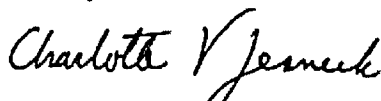
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If you have any questions, you may contact Bruce Parris, Western Regional Supervisor at (704) 235-2185, John Walch, Eastern Regional Supervisor at (919) 508-8485 or me at (919) 508-8460. You can view a Branch regional map at <http://portal.ncdenr.org/web/wm/sf/ihs/ihsregmap> to determine if your site lies in the western or eastern region. Those who are interested in reviewing the Superfund Section's files on any of these sites may contact Scott Ross at (919) 508-8475, to schedule an appointment. You may also contact Mr. Ross if you do not have access to the internet and would like to request a copy of the Priority List be mailed to you.

Sincerely,



Charlotte V. Jesneck, Head
Inactive Hazardous Site Branch
Superfund Section

CVJ/slbb(SPLMERGELTR_2010.DOCX)

Walch, John

From: Caulk, Kim
Sent: Thursday, June 02, 2011 4:26 PM
To: Walch, John; Robbins, Susanne
Subject: RE: DuPont Clayton, NC (NONCD0002852)

When I spoke to him, he indicated they were not in agreement with the ranking, and, also, the contamination is background from agricultural uses. We had a good discussion and I think he understands that just because his property may be impacted by ag. prac., it is still contaminated and has to be handled appropriately like any other contamination.

Kim T. Caulk, P.G.
Phone: (919) 508-8451
<http://portal.ncdenr.org/web/wm/sf/ihs/recprogram>

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

From: Walch, John
Sent: Thursday, June 02, 2011 3:57 PM
To: Robbins, Susanne
Cc: Caulk, Kim
Subject: FW: DuPont Clayton, NC (NONCD0002852)

I think you screened the Clayton Farms Site when it was reported to us. Kim or I will forward you any reports that we receive. I am not sure that there is anything to do unless they submit some data and request an NFA review.

Thanks

*John W. Walch
Eastern Unit Supervisor
Inactive Hazardous Sites Branch
NC Division of Waste Management
Superfund Section*

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

From: Caulk, Kim
Sent: Thursday, June 02, 2011 3:49 PM
To: Kevin P Garon
Cc: John D Aeiker; Lois A Smith; Patricia McGee; Walch, John; Macdonald, Janet K
Subject: RE: DuPont Clayton, NC (NONCD0002852)

Kevin:

Per our telephone conversation, we do not have an REC Agreement for this site and I am not familiar with it. Therefore, I am forwarding this e-mail to John Walch who is the supervisor for the Eastern Unit of our Branch so he can see if someone in his Branch is familiar with the site.

As we discussed, if you have questions about the REC Program, please contact me or Janet Macdonald (919-508-8446).

Regards,
Kim

Kim T. Caulk, P.G.
Phone: (919) 508-8451
<http://portal.ncdenr.org/web/wm/sf/ihs/recprogram>

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

From: Kevin P Garon [mailto:Kevin.P.Garon@USA.dupont.com]
Sent: Thursday, June 02, 2011 11:07 AM
To: Caulk, Kim
Cc: John D Aeiker; Lois A Smith; Patricia McGee
Subject: DuPont Clayton, NC (NONCD0002852)

Mr. Caulk,
Attached, please find a technical memorandum describing soil and groundwater sampling for the referenced site. I am also sending you a presentation that includes all data collected from the site (2007 ESA Phase 2) along with a summary of the data presented in the 2011 technical memorandum. We are also sharing this presentation with representatives from the City of Clayton.

Due to the size of these files, I will be sending you attachment B and C of the technical memorandum in a separate e-mail note. I will also follow-up with a hard copy in the mail.

In short, while a few pesticides have been detected in groundwater just above NC 2L criteria, we believe that these constituents are background as they were commonly used regionally on tobacco farms for many years in the past.

- Presentation of all data collected at the site

Respectfully submitted,
Kevin

Kevin Garon
Senior Project Director
DuPont Corporate Remediation Group
6324 Fairview Road
Charlotte, NC 28210
(704) 362-6635 phone
(704) 362-6636 fax
Kevin.P.Garon@usa.DuPont.com

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North Carolina Department of Environment and Natural Resources
Division of Waste Management

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

December 9, 2009

Mr. James K. Henderson, Project Director
Dupont Corporate Remediation Group
6324 Fairview Road
Charlotte, NC 28210

Re: Inactive Hazardous Waste Sites Priority List
Clayton Farms
Clayton, Johnston County

Dear Mr. Henderson:

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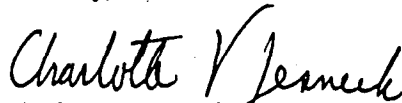
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Sincerely,



Charlotte V. Jesneck, Head
Inactive Hazardous Site Branch
Superfund Section

CVJ/slb(SPLMERGELTR_2009.WPD)

Enclosure



STATE FILE

North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor

William G. Ross Jr., Secretary

CERTIFIED MAIL

7007 0220 0000 8225 1561

October 2, 2008

Mr. James K. Henderson
DuPont Corporate Remediation Group
6324 Fairview Road
Charlotte, NC 28210

Re: **NOTICE OF REGULATORY REQUIREMENTS FOR CONTAMINANT ASSESSMENT AND CLEANUP**
Clayton Farms
Clayton, Johnston County, NC

Dear Mr. Henderson:

Thank you for submitting the Site Cleanup Checklist/Questionnaire (Questionnaire) for the above subject site (Site). The Branch has completed its review of the Questionnaire and determined that the Site can be cleaned up through the REC ("Registered Environmental Consultant") Program without direct oversight by Branch Staff.

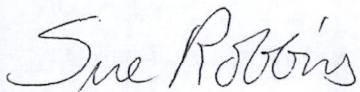
Note that, if you have not already done so, you must take the initial abatement actions required under 15A NCAC 2L, Groundwater Classifications and Standards. Pursuant to 15A NCAC 2L .0106(b), any person conducting or controlling an activity which results in the discharge of a waste or hazardous substance to the groundwaters of the State, or in proximity thereto, shall take immediate action to terminate and control the discharge, and mitigate any hazards resulting from exposure to the pollutants. Pursuant to 15A NCAC 2L .0106(c), if groundwater standards have been exceeded, you must take immediate action to eliminate the source or sources of contamination. Beyond initial abatement actions, all assessment and remediation will be done through the Inactive Hazardous Sites Response Act ("IHSRA"), codified under N.C. Gen. Stat. § 130A-310.

Under the IHSRA, to receive approval of the assessment and clean up at the Site, you must enter into an administrative agreement with the Branch. Since the Branch has determined that the Site can be cleaned up through the REC Program, execution of an REC-Administrative Agreement (AA) is required. The procedures for entering into an REC-AA are attached. If you have any questions regarding these procedures or the REC Program, please contact the REC Program Manager, Kim Caulk, at (919)508-8451 or visit the REC Program website at <http://www.wastenotnc.org/SFHOME/recprog.htm>.

If we do not receive a response from you within the next 60 days indicating your willingness to enter an REC-AA, the Branch will take further action to prioritize the Site. Failure to take the initial abatement steps required in 15A NCAC 2L may result in the assessment of a civil penalty against you. In addition, the Branch may seek an injunction compelling compliance with the initial abatement steps required in 15A NCAC 2L. For future work beyond the initial abatement steps required pursuant to 15A NCAC 2L, a unilateral Order may be issued pursuant to § 130A-310.3 to compel assessment and cleanup. In addition, if you choose not to conduct a cleanup voluntarily, the site may be referred to the United States Environmental Protection Agency ("EPA"). If so referred, EPA will screen the site for Federal enforcement action under the Federal Superfund Program, established under the Comprehensive Environmental Responsibility, Compensation, and Liability Act ("CERCLA").

If you have additional questions about the requirements that apply to your site, please contact me at (910) 796-7411.

Sincerely,



Sue Robbins
Hydrogeologist
Inactive Hazardous Sites Branch
Superfund Section

Enclosure: REC-AA Procedures

cc: IHSB Files

Procedures for Obtaining a REC Administrative Agreement

To obtain a Registered Environmental Consultant (REC)-Administrative Agreement (AA), remediating parties (RPs) and RECs should use the following procedures:

1. Contact Kim Caulk, preferably by e-mail at Kim.Caulk@NCMail.net, and provide the following information for the site:
 - Site name, street address/location, city, and county;
 - Exact name of remediator;
 - Name, title, telephone number & e-mail address of the highest ranking official of the remediating party having day-to-day responsibility for the performance of the remedial response action;
 - Name, title, telephone number & e-mail address of any other contact person(s) and the proposed REC for the remedial response action;
 - Current property owner of the site.
2. Using the information above, a draft REC-AA will be prepared by the Branch and forwarded, preferably by e-mail, to the RP and any other specified representatives for review. The draft electronic version of the AA will be maintained by the Branch.
3. After the RP confirms the information is correct, the AA will be finalized by the Branch and an original, hardcopy of the final document will be mailed to the RP for signature. The RP should then mail the signed original, final AA to the REC for signature. The document should then be returned by mail to the Branch for execution. A photocopy of the AA will be forwarded to the RP and the REC following execution of the AA by the Branch.
4. Before the AA can be executed, the following requirements must be completed:
 - A 30-day public notice for the proposed AA must be performed by the Branch in accordance with 130A-310.9(b). To complete the required 30-day public notice, the proposed REC and/or the Remediating Party will need to submit, preferably by e-mail, a site location map (typically a tax map) and the mailing addresses for each of the adjacent surrounding property owners. The reference/source of the submitted information should be included;
 - Pursuant to 15A NCAC 13C .0307(c), to participate in the REC Program, payment of a financial assurance fee must be received by the Branch. The fee for entry of the site into the REC Program is \$2500. Checks should be made payable to NC Division of Waste Management and referenced to the REC Trust Fund. There will be a similar fee each year until remediation at the site is complete. The annual administration fee, which is to help offset the costs of the Division's audits of remedial actions, is based on the number of sites in the REC Program and in recent years has varied from approx. \$1800 to \$2500.

The required public notice can begin while the AA is reviewed/finalized and the fees are processed.

Questions regarding these procedures and the REC Program should be directed to Kim Caulk at (919)508-8451 or Kim.Caulk@NCMail.net.

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY						
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee <i>S. Craver</i></p> <p>B. Received by (Printed Name) C. Date of Delivery <i>S. Craver</i> <i>10/3/08</i></p> <p>D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>						
<p>1. Article Addressed to:</p> <p><i>Mr. James K. Henderson</i> <i>DuPont Corporate Remediation Group</i> <i>6324 Fairview Road</i> <i>Charlotte, NC 28210</i></p>	<p>3. Service Type</p> <table style="width: 100%;"> <tr> <td><input checked="" type="checkbox"/> Certified Mail</td> <td><input type="checkbox"/> Express Mail</td> </tr> <tr> <td><input type="checkbox"/> Registered</td> <td><input checked="" type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td><input type="checkbox"/> C.O.D.</td> </tr> </table> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail	<input type="checkbox"/> Registered	<input checked="" type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.
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<input type="checkbox"/> Registered	<input checked="" type="checkbox"/> Return Receipt for Merchandise						
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.						
<p>2. Article Number (Transfer from service label)</p>	<p>7007 0220 0000 8225 1561</p>						

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

7007 0220 0000 8225 1561

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage	\$ <i>1.42</i>
Certified Fee	<i>2.70</i>
Return Receipt Fee <small>(Endorsement Required)</small>	<i>2.20</i>
Restricted Delivery Fee <small>(Endorsement Required)</small>	
Total Postage & Fees	\$ <i>5.32</i>

Sent To

Mr. James K. Henderson, DuPont Corp. Remediation

Street, Apt. No., or PO Box No.

6324 Fairview Road

City, State, ZIP+4

Charlotte, NC 28210

Postmark Here

DOGWOOD STATION

OCT-22-08

28105

PS Form 3800, August 2006

See Reverse for Instructions

UNITED STATES POSTAL SERVICE

03 OCT 2006 PM 3:1

USPS

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

American

Journalists

• Sender: Please print your name, address, and ZIP+4 in this box •

DENR – Wilmington Regional Office
Division of Water Quality
127 Cardinal Drive Extension
Wilmington, NC 28405

Attn: Sue Janet

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is *not* available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry.

PS Form 3800, August 2006 (Reverse) PSN 7530-02-000-9047

STATE FILE

6324 Fairview Road
Charlotte, NC 28210
Tel. (704) 362-6630
Fax (704) 362-6636



DuPont Engineering

July 21, 2008

Ms. Sue Robbins, Hydrogeologist
Inactive Hazardous Sites Branch, Superfund Section
Division of Waste Management, NCDENR
127 Cardinal Drive Extension
Wilmington, North Carolina 28405
Phone (910) 796-7411
FAX (910) 350-2004

Dear Ms. Robbins:

In response to your letter dated April 17, 2008, the attached questionnaire provides information regarding the Former Clayton Farms site.

Where necessary, additional information is provided to supplement questionnaire responses. We feel it unnecessary to notarize the section of the questionnaire entitled "Remediating Party Certification Statement."

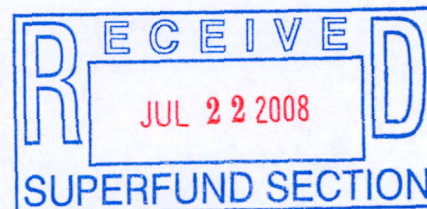
Should you require additional information, please do not hesitate to contact me by phone (704-362-6641) or email (james.k.henderson@usa.dupont.com).

Sincerely,

A handwritten signature in dark ink, reading "James K. Henderson", written over a horizontal line.

James K. Henderson
Project Director
DuPont Corporate Remediation Group

cc: Lois Smith, Corporate Real Estate
John Aeiker, DuPont Crop Protection
Jim Bone, DuPont Crop Protection
file



Attachments:

- Attachment 1 - Site Cleanup Questionnaire
- Attachment 2 - Clayton Farms Site Cleanup Questionnaire Supplemental Information
- Attachment 3 - NCDENR Questionnaire Map

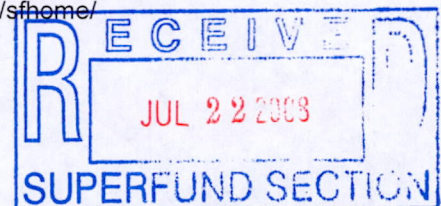
Site Cleanup Questionnaire

Remediating parties interested in volunteering should prepare this form with the assistance of an environmental consultant. All cooperative parties are eligible for Branch-approved remedial actions. Answer all questions, based on current information, and provide written descriptions where needed.

NC DENR Site Name, City and County DuPont Clayton Farms, Clayton, Johnston County

1. Is the site located on or immediately adjacent to residential property, schools, day-care centers or other sensitive populations? ☒ Y ☐ N
If yes, please explain on a separate page.
2. What is the distance (from site property line) to the nearest residence, school or day-care center? Please attach a map showing the site and nearest residence, school or daycare center. Attachment 2
3. Is the site completely surrounded by a locked fence? ☐ Y ☒ N
If no, please explain security measures at the site on a separate page.
4. Are site surface soils known to be contaminated? ☒ Y ☐ N
If yes, or unknown, describe briefly on a separate page.
5. Is site groundwater known to be contaminated? ☒ Y ☐ N
If yes, or unknown, describe briefly on a separate page.
6. Is site sediment or surface water known to be contaminated? ☐ Y ☒ N
If yes, or unknown, describe briefly on a separate page.
7. Has groundwater contamination affected any drinking water wells? ☐ Y ☒ N
If yes, or unknown, please explain on a separate page.
8. What is the distance to the nearest downgradient drinking water well? Attachment 2
9. What is the distance to the nearest downstream surface water intake? Attachment 2
10. Are hazardous vapors, air emissions or contaminated dust migrating into occupied residential, commercial or industrial areas? ☐ Y ☒ N
If yes, or unknown, please explain on a separate page.
11. Have hazardous substances known to have migrated off property at concentrations in excess of Branch unrestricted-use remediation goals? ☐ Y ☒ N
If yes, or unknown, please explain on a separate page.
12. Has the local community expressed concerns about contamination at the site? ☐ Y ☒ N
If yes, or unknown, please explain on a separate page.
13. Based on current information, are there any sensitive environments located on the property (sensitive environments are identified in the Remedial Investigation Work Plans section of the IHSB "Guidelines for Assessment and Cleanup" at www.wastenotnc.org/s/home/stateleadguidance.pdf)? ☐ Y ☒ N

If yes, or unknown, please explain on a separate page.



14. Based on current information, has contamination from the site migrated into any sensitive environments?

☐ Y ☒ N

If yes, or unknown, please explain on a separate page.

15. Do site contaminants include radioactive or mixed radioactive and chemical wastes?

☐ Y ☒ N

If yes, or unknown, please explain on a separate page.

Remediating Party Certification Statement

I hereby certify that the responses provided above are, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for willfully submitting false, inaccurate or incomplete information.

James K. Henderson
(Signature of Remediating Party Representative)

July 21, 2006
(Date)

James K. Henderson Project Director
(Printed Name and Title of Remediating Party Representative)

Dufont
(Printed Name of Company)

(State in which signature is witnessed)

County

I, _____, a Notary Public of said County and State, do hereby
certify that _____ did personally appear and sign before me this
the _____ day of _____, _____.

Notary Public (signature)

(OFFICIAL SEAL)

My commission expires: _____

Attachment 2

Clayton Farms Site Clean-up Questionnaire Supplemental Information

1) Is the site located on or immediately adjacent to residential property, schools, day-care centers or other sensitive populations?

Yes. However, the property is located within an agricultural community that may contain residential properties. No schools, day-care centers, or other sensitive populations are located adjacent to the site property. The closest residence is located across Covered Bridge Road as is indicated on the Attached figure (Attachment 3).

2) What is the distance (from the property line) to the nearest school? Day care? Residence? Please attach a map showing the locations.

Attachment 3 (NCDENR Questionnaire Map) provides the locations of the nearest community services including the following:

- 1. School – 4,900 feet*
- 2. Day Care – 2.4 miles*
- 3. Residence – 50 feet*

3) Is the site completely surrounded by a locked fence?

If no, please explain security measure at the site on a separate page.

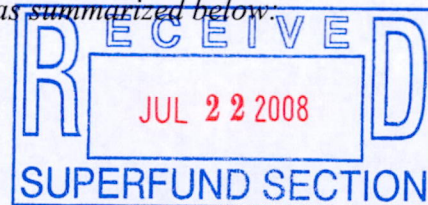
The site does not have security assigned to the property. It was a research farm for DuPont and has never used any security measures. In the past the leaser of the property a local farmer has notified DuPont of any security issues. Currently as the lease of the site to the farmer has expired the site has no security contingency other than local law enforcement (Clayton Police Department – (919) 553-4611).

4) Are site surface soils known to be contaminated?

No surface soils (0 to 1 foot below ground surface) have been collected at the site and submitted for laboratory analysis. Subsurface soil samples have been collected at several locations on the site. Slight exceedance of residential risk-based standards was noted in one sample for one pesticide (4,4'-DDT) collected within a former trench. This trench, which contains buried farm waste, is planned to be excavated and removed in 2008.

5) Is site groundwater known to be contaminated?

DuPont has recently performed groundwater sampling at its Former Clayton Farms Site, near the town of Clayton, NC. Six groundwater samples were collected and analyzed for Appendix IX volatile organic compounds (VOCs) and semi-volatile organic compounds (SVOCs), pesticides, polychlorinated biphenyls (PCBs), and carbamate pesticides. The groundwater samples collected at the site exhibited concentrations and estimated concentrations of three pesticides exceeding their respective 15A NCAC 02L standards, as summarized below.



Attachment 2 Cont'd

Clayton Farms Site Clean-up Questionnaire

Compounds	Results (µg/L)	NC 2L Standards (µg/L)	# of Exceedances
Alpha-BHC	0.037 J	0.019	1
Dieldrin	0.064 J	0.0022	1
Toxaphene	3.1	0.031	1

Notes:

J = reported value detected at a concentration greater than the method detection limit but less than the practical quantitation limit and as such considered an estimate.

The Former Clayton Farms Site was used by DuPont to test crop protection chemicals from 1954 until the mid 1980s to pilot test agricultural products on row crops. In the mid 1980s, DuPont ceased operation of the facility as a research farm. Since that time, the site has been leased to a local farmer and operated as a tobacco farm.

Low-level detections of the above compounds conform to general agricultural use patterns (USGS Circular 1291; Report to the North Carolina Pesticide Board by the Interagency Workgroup, 1997), and do not in DuPont's view constitute a current potential risk to human health and environment. As such, DuPont currently has no plans to pursue further environmental investigation at the site.

7) Has groundwater contamination affected any drinking water wells?

DuPont has no reason to suspect (based on the observed results from the on-site water supply well) that contaminated groundwater exists either on- or off-site properties.

In May 2008 the water supply well was sampled following a high volume purge and development process, which included the removal of approximately 650 gallons of water from the well. A sample was then collected following low flow protocol. Upon collection of the water sample, the water supply well was abandoned in accordance with 15A NCAC 02C standards. The results from the groundwater sample collected in May 2008 indicated similar concentrations as the August 2007 event. The water supply well did not exhibit any exceedences of NC2L standards.

8) What is the distance to the nearest downgradient water supply well?

Groundwater has been determined through the 2007 Investigation to flow to the South of the site. No water supply wells have been identified to the South of the site leading up to the Neuse River.

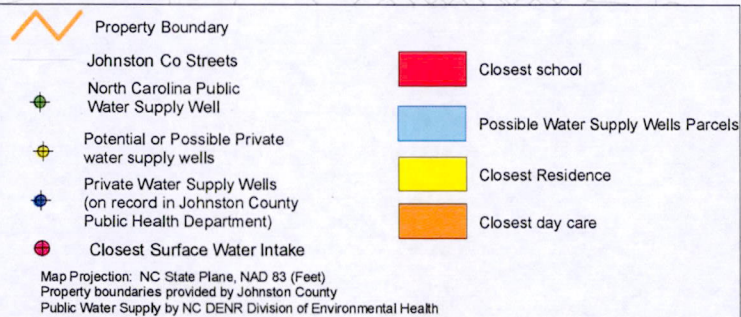
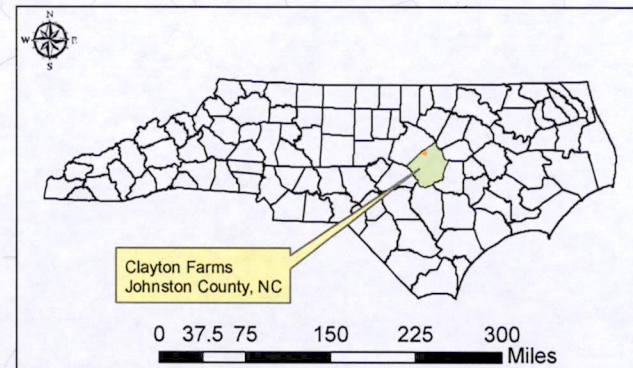
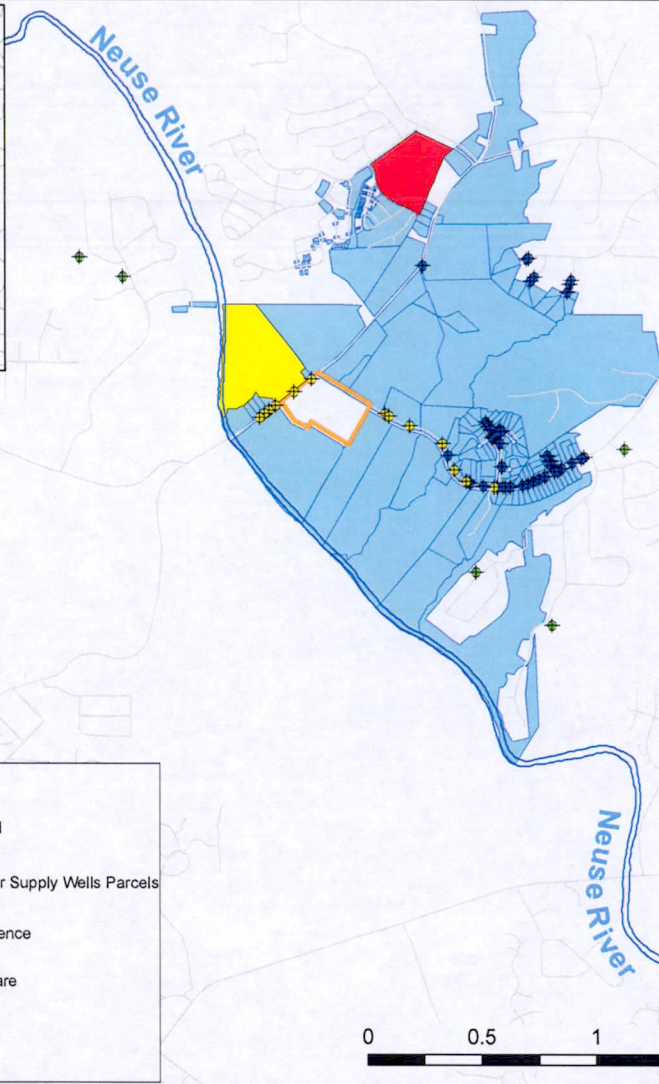
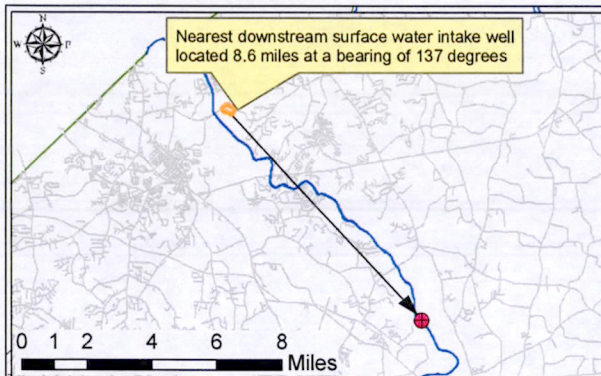
Attachment 2 Cont'd
Clayton Farms Site Clean-up Questionnaire

9) What is the distance to the nearest downstream surface water intake?

The nearest downstream surface water intake is located approximately 8.6 miles downstream on the Neuse River. This information was obtained from North Carolina State University web site, (<http://www.bae.ncsu.edu/programs/extension/wqg/neuse/wakeco/wsw.html>). The web site shows area water sheds and surface water intakes in the region.

13) Based on the current information, are there any sensitive environments located on the property (sensitive environments are identified in the Remedial Investigation Work Plans section of the IHSB "Guidelines for Assessment and Cleanups" at www.wastenotnc.org/sfhome/stateleadguidance.pdf)?

The property does not contain any sensitive environments as is identified in the IHSB-Remedial Investigation Work Plans section 7.a.



CORPORATE REMEDIATION GROUP



An Alliance between
 DuPont and URS Diamond - North Carolina

6324 Fairview Road
 Charlotte, NC 28210

Title:

Attachment 3
 NCDENR Questionnaire Map
 DuPont Clayton Farms Site
 Clayton, NC
 NCDENR Site Clean-Up Questionnaire

Created:	C. Oneal	DuPont Project Number:	509116
Date:	07/09/2008	URSD Project Number:	18985142
Revision:	1	Figure Number:	
File Name:	G:\Clayton_Farms\GIS\wells_schools_daycare2.mxd		



STATE FILE

North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary

April 17, 2008

Mr. James K. Henderson
DuPont Corporate Remediation Group
6324 Fairview Road
Charlotte, NC 28210

Re: **NOTICE OF REGULATORY REQUIREMENTS FOR CONTAMINANT ASSESSMENT
AND CLEANUP**

Clayton Farms (former)
Clayton, Johnston County, NC

Dear Mr. Henderson:

We received your March 24, 2008 letter, which reports that your site has been contaminated by one or more hazardous substances. Depending on the contaminants involved and whether the contaminants have impacted or may impact groundwater quality, you will be required to assess and cleanup the contamination under one or more cleanup authorities. Regulatory oversight for the assessment and cleanup under all applicable authorities will be provided by the Division of Waste Management through its Superfund Section, Inactive Hazardous Sites Branch ("Branch").

Based on information provided to date, the Inactive Hazardous Sites Response Act ("IHSRA"), codified under N.C. Gen. Stat. § 130A-310, et seq., applies to your site. In addition, initial immediate actions may be required under 15A NCAC 2L, Groundwater Classifications and Standards.

I. ACTIONS REQUIRED AT THIS TIME:

Complete the Site Cleanup Questionnaire.

To comply with the requirements of State law, a Site Cleanup Questionnaire, available on the website noted at the end of this letter, must be completed and returned to this office. The information you provide will be reviewed along with other information to prioritize the site, so please make certain that the information you provide is complete and accurate. Please note that your failure to inform the Branch of any nearby potable wells or other high risk conditions may adversely affect the Branch's ability to identify this site as a higher-risk site.

Take Initial Abatement Actions Required Under 15A NCAC 2L.

If you have not already done so, you must take the initial abatement actions required under 15A NCAC 2L. Pursuant to 15A NCAC 2L .0106(b), any person conducting or controlling an activity which results in the discharge of a waste or hazardous substance to the groundwaters of the State, or in proximity thereto, shall take immediate action to terminate and control the discharge, and mitigate any hazards resulting from exposure to the pollutants. Pursuant to 15A NCAC 2L .0106(c), if groundwater standards have been exceeded, you must take immediate action to eliminate the source or sources of contamination. Beyond initial abatement actions, all assessment and remediation will be done through the IHSRA.

II. FUTURE ASSESSMENT AND CLEANUP ACTIVITIES:

All correspondence regarding this site should be sent to the Branch. Future assessment and cleanup activities (activities conducted after the initial abatement steps required in 15A NCAC 2L) may be conducted through the Voluntary Cleanup Program (discussed below) or pursuant to an Order issued under N.C. Gen. Stat. § 130A-310.3. In addition, if you choose not to conduct a cleanup through the Voluntary Cleanup Program, the site may be referred to the United States Environmental Protection Agency ("EPA"). If so referred, EPA will screen the site for Federal enforcement action under the Federal Superfund Program, established under the Comprehensive Environmental Responsibility, Compensation, and Liability Act ("CERCLA").

III. VOLUNTARY CLEANUP PROGRAM:

Under the IHSRA, persons who move forward to assess and remediate contamination, without being compelled to do so through formal legal action filed against them, are called "volunteers." To participate in the voluntary cleanup program, you will be required to enter into an administrative agreement with the Branch. The voluntary cleanup will proceed through the Registered Environmental Consultant Program or under direct oversight by the Branch Staff, as discussed below:

Agreement to Conduct Assessment and Remediation Through the Registered Environmental Consultant Program.

The Branch has a privatized oversight arm of the voluntary cleanup program known as the Registered Environmental Consultant ("REC") program. Based on the responses provided on the questionnaire (degree of hazard and public interest in the site), the Branch will determine whether a staff person or an REC will perform the oversight and approval of your assessment and cleanup action. Please note that having one or more of the conditions identified on the questionnaire does not necessarily preclude the site for qualifying for an REC-directed cleanup action.

Under the REC program, the volunteer hires an environmental consulting firm, which the State has approved as having met certain qualifications, to implement a cleanup and certify that the work is being performed in compliance with regulations. In other words, the REC's certifications of compliance are in place of direct oversight by the Branch. Details of the REC program can be found at <http://www.wastenotnc.org/sfhome/recprog.htm>. If you have any questions specific to the REC Program, including how to participate, please contact the REC Program Manager, Kim Caulk, at (919) 508-8451.

Agreement to Conduct Assessment and Remediation Under State Oversight.

If the Branch determines that the site should be assessed and remediated pursuant to direct State oversight, it will not be eligible for a REC-directed cleanup. Rather, the remedial action will receive direct oversight by Branch staff.

IV. FAILURE TO RESPOND:

If we do not receive a completed questionnaire, the Branch will take further action to prioritize the site without your input. Failure to take the initial abatement steps required in 15A NCAC 2L may result in the assessment of a civil penalty against you. In addition, the Branch may seek an injunction compelling compliance with the initial abatement steps required in 15A NCAC 2L. For future work beyond the initial abatement steps required pursuant to 15A NCAC 2L, a unilateral Order may be issued pursuant to § 130A-310.3 to compel assessment and cleanup.

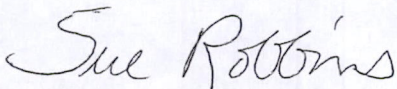
V. ADDITIONAL INFORMATION REGARDING THE IHSRA AND THE BRANCH:

People are often confused by the name of the Inactive Hazardous Sites Response Act and the Branch. By definition, "Inactive Hazardous Sites" are any areas where hazardous substances have come to be located and would include active and inactive facilities and a variety of property types. The term "inactive" simply refers to the fact that cleanup was inactive at large numbers of sites at the time of program enactment. Additional information about the Branch may be found at <http://www.wastenotnc.org/sfhome/ihsbrnch.htm>.

Submit completed questionnaire to: Sue Robbins
Inactive Hazardous Sites Branch
127 Cardinal Drive Extension
Wilmington, NC 28403

If you have additional questions about the requirements that apply to your site, please contact me at (910) 796-7411.

Sincerely,



Sue Robbins
Hydrogeologist
Inactive Hazardous Sites Branch
Superfund Section
Division of Waste Management

STATE FILE

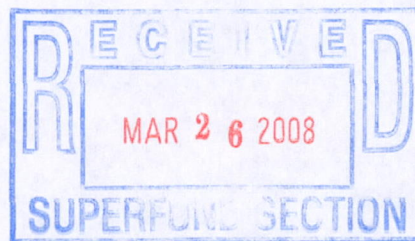
6324 Fairview Road
Charlotte, NC 28210
Tel. (704) 362-6630
Fax (704) 362-6636



DuPont Engineering

March 24, 2008

Ms. Charlotte Jesneck
Inactive Hazardous Sites Branch Head
N.C. Division of Waste Management
401 Oberlin Road – Suite 150
Raleigh, North Carolina 27605
Phone (919) 508-8400



Re: Former Clayton Farms Site
Notification of Exceedances of NC 2L Standards

Dear Ms. Jesneck:

DuPont recently performed groundwater sampling at its Former Clayton Farms Site, near the town of Clayton, NC. Six groundwater samples were collected and analyzed for Appendix IX volatile organic compounds (VOCs) and semi-volatile organic compounds (SVOCs), pesticides, polychlorinated biphenyls (PCBs), and carbamate pesticides. This letter is to inform you that three pesticides were detected at concentrations exceeding North Carolina 2L standards, as summarized below:

Compound	Result (µg/L)	NC 2L Standard (µg/L)	# of Exceedances
Alpha-BHC	0.037 <i>J</i>	0.019	1
Dieldrin	0.064 <i>J</i>	0.0022	1
Toxaphene	3.1	0.031	1

Notes:

J = reported value near minimum detection limit, may not be accurate or precise

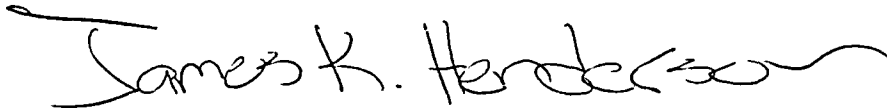
The Former Clayton Farms Site was used by DuPont to test crop protection chemicals from 1954 until the mid-1980s. The facility was used to pilot test agriculture products on row crops. In the mid 1980s, DuPont ceased operation of the facility as a research farm. Since that time, the site has been leased to a local farmer and operated as a tobacco farm.

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March 24, 2008
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Low-level detections of the above compounds conform to general agricultural use patterns (USGS Circular 1291; Report to the North Carolina Pesticide Board by the Interagency Workgroup, 1997), and do not in our view constitute a current risk to human health and the environment. As such, we currently have no plans to pursue further environmental investigation at the site.

Should you require additional information, please do not hesitate to contact me by phone (704-362-6641) or email (james.k.henderson@usa.dupont.com).

Sincerely,

A handwritten signature in black ink that reads "James K. Henderson". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

James K. Henderson
Project Director
DuPont Corporate Remediation Group

cc: Mr. John Aeiker, DuPont Crop Protection
Mr. Jim Bone, DuPont Crop Protection
Ms. Lois Smith, DuPont Real Estate
File